

Senate File 2303

S-5090

1 Amend Senate File 2303 as follows:

2 1. Page 1, line 2, after <REFERENCES> by inserting  
3 <AND BONUS DEPRECIATION>

4 2. By striking page 1, line 3, through page 3, line  
5 4, and inserting:

6 <Section 1. Section 15.335, subsection 7, paragraph  
7 b, Code 2016, is amended to read as follows:

8 *b.* For purposes of *this section*, "*Internal Revenue*  
9 *Code*" means the Internal Revenue Code in effect on  
10 January 1, ~~2015~~ 2016.

11 Sec. \_\_\_\_\_. Section 422.3, subsection 5, Code 2016,  
12 is amended to read as follows:

13 5. "*Internal Revenue Code*" means the Internal  
14 Revenue Code of 1954, prior to the date of its  
15 redesignation as the Internal Revenue Code of 1986  
16 by the Tax Reform Act of 1986, or means the Internal  
17 Revenue Code of 1986 as amended to and including  
18 January 1, ~~2015~~ 2016.

19 Sec. \_\_\_\_\_. Section 422.7, subsection 39A, unnumbered  
20 paragraph 1, Code 2016, is amended to read as follows:

21 The additional first-year depreciation allowance  
22 authorized in section 168(k) of the Internal Revenue  
23 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
24 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
25 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
26 L. No. 113-295, §125, and Pub. L. No. 114-113, §143,  
27 does not apply in computing net income for state tax  
28 purposes. If the taxpayer has taken the additional  
29 first-year depreciation allowance for purposes of  
30 computing federal adjusted gross income, then the  
31 taxpayer shall make the following adjustments to  
32 federal adjusted gross income when computing net income  
33 for state tax purposes:

34 Sec. \_\_\_\_\_. Section 422.9, subsection 2, paragraph i,  
35 Code 2016, is amended to read as follows:

1     *i.* The deduction for state sales and use taxes  
2 is allowable only if the taxpayer elected to deduct  
3 the state sales and use taxes in lieu of state income  
4 taxes under section 164 of the Internal Revenue Code.  
5 A deduction for state sales and use taxes is not  
6 allowed if the taxpayer has taken the deduction for  
7 state income taxes or claimed the standard deduction  
8 under section 63 of the Internal Revenue Code. This  
9 paragraph applies to taxable years beginning after  
10 December 31, 2003, and before January 1, 2008, and to  
11 taxable years beginning after December 31, 2009, ~~and~~  
12 ~~before January 1, 2015.~~

13     Sec. \_\_\_\_\_. Section 422.10, subsection 3, paragraph  
14 b, Code 2016, is amended to read as follows:

15     *b.* For purposes of [this section](#), "*Internal Revenue*  
16 *Code*" means the Internal Revenue Code in effect on  
17 January 1, ~~2015~~ 2016.

18     Sec. \_\_\_\_\_. Section 422.32, subsection 1, paragraph  
19 h, Code 2016, is amended to read as follows:

20     *h.* "*Internal Revenue Code*" means the Internal  
21 Revenue Code of 1954, prior to the date of its  
22 redesignation as the Internal Revenue Code of 1986  
23 by the Tax Reform Act of 1986, or means the Internal  
24 Revenue Code of 1986 as amended to and including  
25 January 1, ~~2015~~ 2016.

26     Sec. \_\_\_\_\_. Section 422.33, subsection 5, paragraph  
27 e, subparagraph (2), Code 2016, is amended to read as  
28 follows:

29     (2) For purposes of [this subsection](#), "*Internal*  
30 *Revenue Code*" means the Internal Revenue Code in effect  
31 on January 1, ~~2015~~ 2016.

32     Sec. \_\_\_\_\_. Section 422.35, subsection 19A,  
33 unnumbered paragraph 1, Code 2016, is amended to read  
34 as follows:

35     The additional first-year depreciation allowance

1 authorized in section 168(k) of the Internal Revenue  
2 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
3 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
4 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
5 L. No. 113-295, §125, and Pub. L. No. 114-113, §143,  
6 does not apply in computing net income for state tax  
7 purposes. If the taxpayer has taken the additional  
8 first-year depreciation allowance for purposes of  
9 computing federal taxable income, then the taxpayer  
10 shall make the following adjustments to federal  
11 taxable income when computing net income for state tax  
12 purposes:

13     Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
14 of this Act, being deemed of immediate importance,  
15 takes effect upon enactment.

16     Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY.

17     1. Except as provided in subsection 2, this  
18 division of this Act applies retroactively to January  
19 1, 2015, for tax years beginning on or after that date.

20     2. The sections of this division of this Act  
21 amending sections 422.7 and 422.35 apply retroactively  
22 to January 1, 2015, for tax years ending on or after  
23 that date.>

24     3. Title page, line 1, by striking <temporarily>

25     4. By renumbering as necessary.

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RANDY FEENSTRA